

Message Text

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ACTION PM-04

INFO OCT-01 EUR-12 ISO-00 NSC-05 SP-02 SS-15 L-03 CIAE-00

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 651

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E.O. 11652: N/A

TAGS: MILI, CA

SUBJ: AGREEMENT CONCERNING SURPLUS LANDS AND
FACILITIES AT ARGENTIA

REF: STATE 238985, OCT 31, 1974 AND PREVIOUS

1. EMBASSY HAS RECEIVED LETTER FROM DEFENCE RELATIONS
DIVISION OF EXTAFF CONCERNING THE DRAFT AGREEMENT
WHEREBY CERTAIN SURPLUS LANDS AND FACILITIES AT THE USN
STATION AT ARGENTIA WOULD BE MADE AVAILABLE TO CANADA.
LETTER CONVEYS THE CONVICTION OF NEWFOUNDLAND PROVINCE
THAT U.S. PROPOSED RIGHT OF RE-ENTRY WITHOUT COMPENSATION
ON ONE-YEAR'S NOTICE OR IMMEDIATELY IN EVENT OF WAR,
NATIONAL EMERGENCY, OR MILITARY NECESSITY, WOULD POSE
REAL CONSTRAINT ON DEVELOPMENT. NEWFOUNDLAND AND FEDERAL
AUTHORITIES DOUBT THAT ANY INDUSTRIAL CONCERN WOULD BE
PREPARED TO MAKE INVESTMENTS IN THAT LOCATION UNLESS
IT COULD BE ASSURED OF AT LEAST REASONABLE TENURE OR
INDEMNIFICATION AGAINST DISRUPTION OF BUSINESS AND LOSS
OF INVESTMENT.

2. EXTAFF HAS DISCOUNTED THE SOLUTION OF HAVING U.S.
FORMALLY ABANDON THE LAND IN QUESTION SINCE THIS WOULD
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RAISE VARIOUS ISSUES, INCLUDING THE PROBLEM OF EXCLUDING

COMMUNIST BLOC SHIPPING. THEY WOULD, THEREFORE, PROPOSE THAT PARA 1. OF U.S. PROPOSED DRAFT ANNEX C BE AMENDED TO ELIMINATE THE U.S. RIGHT OF RE-ENTRY ON ONE-YEAR'S NOTICE WHILE RETAINING THE RIGHT TO RESUME FULL AND EXCLUSIVE OCCUPANCY IN THE EVENT OF WAR OR SOME OTHER MUTUALLY RECOGNIZED EMERGENCY. EXTAFF WOULD APPRECIATE INDICATION OF U.S. REACTION TO AMENDMENT ALONG THESE LINES AND TO POSSIBILITY OF PROVIDING COMPENSATION FOR ANY IMPROVEMENTS OR LOSS OF BUSINESS THAT RESULTED FROM THE REOCCUPANCY.

3. EXTAFF LETTER ENCLOSURES EXCHANGES BETWEEN FEDERAL GOVERNMENT (DEPARTMENT OF REGIONAL ECONOMIC EXPANSION) AND NEWFOUNDLAND GOVERNMENT (JOHN CROSBIE, MINISTER FOR INTER-GOVERNMENTAL AFFAIRS), IN WHICH NEWFOUNDLAND STATES THAT IT REGARDS THE LANDS AND FACILITIES IN QUESTION AS AN IMPORTANT ASSET REQUIRED TO SUPPORT INDUSTRIAL DEVELOPMENT IN THAT AREA. IN THE EXCHANGE NEWFOUNDLAND EXPRESSES ITS WILLINGNESS NOW TO ENTER INTO AN ARRANGEMENT WHICH WOULD "SET ASIDE THE QUESTION OF REVERSIONARY RIGHTS AND WHICH WOULD BE WITHOUT PREJUDICE TO ANY FUTURE SETTLEMENT OF CONSTITUTIONAL ISSUES".

4. EXTAFF OFFICIAL (GOLLETT) ADVISES THAT, WITH THE CONSTITUTIONAL AND REVERSIONARY RIGHTS ISSUE IN ABEYANCE, THE ONLY MAJOR OBSTACLE TO GOC ACCEPTANCE OF THE AGREEMENT ARE THE QUESTIONS OF U.S. RE-ENTRY AND COMPENSATION.

5. PLEASE ADVISE. ENDERS

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